

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): G. Menon et al.

Group Art Unit: 1654

Serial No.: 10/034,336

Examiner: Susan D. Coe

Filed: December 28, 2001

For: TOPICAL COSMETIC COMPOSITION HAVING A NATURAL PLANT ACTIVE  
INGREDIENT AND METHOD OF USING SAME

**Declaration Under 37 C.F.R. 1.132**

Dear Sir:

I, Prakash G. Kadkade, declare and state that:

1. I am currently a consultant in the area of phytochemicals for the food, pharmaceutical and cosmetic industries. From 1991 to 2003, I was employed by Phyton, Inc., a company that specializes in the manufacture of biological materials, in particular of botanicals from cell cultures. From 1993 to 2003 I was Vice President and Chief Scientific Officer at Phyton, Inc. Prior employers include Biotech & Diagnostic Associates (President), BioTechnica International, Inc., Florogenics, Inc., GTE, and Anheuser Busch, Inc. I am the author of over 50 publications and have been granted 20 patents, with 40 patent applications pending.
2. I have a Bachelors of Science in Biology/Chemistry from University of Bombay (1962); a Masters of Science in Biology/Chemistry from University of Bombay (1964) with specialization in Mycology, Microbial Physiology and Plant Pathology, and a Doctorate in Biological Sciences/Biochemistry from St. Louis University (1969).
3. I have read the Office Action dated February 13, 2004 received by the Applicants in connection with the above-identified application.
4. I have also read the references cited by the Examiner in connection with the